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MASTERS OF MILITARY STUDIES

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**AFGHAN NATIONAL POLICE REFORM**

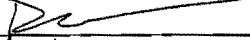
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## Executive Summary

**Title:** Afghan National Police Reform

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**Thesis:** In an effort to ensure lasting security in Afghanistan, the U.S. and allied forces need to start with improving Afghan police reform. The United States and allied forces have to account for culture and rule of law to build training for the ANP with a strong foundation based on international human rights.

**Discussion:** Based on the book by Colette Rausch, *Combating Serious Crimes in Postconflict Societies*, this paper discusses measures of effectiveness for a democratic police force. Using these measures, representative policing, responsive policing and accountable policing, the paper determines that U.S. and allied force training is not producing results. This paper also discusses two models for reform: the institutional model and the tribal model. The institutional model is based on Rausch's recommendations for training in literacy and human rights with the center of gravity being the U.S. and allied security force relationship with the local people. In order for this model to be successful the local people must trust and confide in the U.S. and allied security force because integration of the ANP can only be accomplished if this relationship is built. The tribal model uses "rule of law" developed from the *jirgas*. The ANP are removed for training while the *Arbakai* act as a security force. Once the ANP have met training standards and the population feels safe, the ANP are returned to the area to operate under the *jirgas* rule of law. This model should succeed in Pashtunwali areas where *Arbakai* can be used.

**Conclusion:** Combining the institutional and tribal models to account for culture and rule of law is the best approach. Although the policing will not be a democratic model, the *jirga* rule of law is something everyone should be able to accept. Holding the ANP accountable to the *jirgas* will not only ensure human rights are protected but also that the general population is represented. This is the start to lasting security for Afghanistan.

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## **I. Intro**

Since 2002, the United States (U.S.) and allied forces have been working toward stabilization and reconstruction of Afghanistan. Gaining stabilization in any post-conflict society is absolutely necessary for effective and solid reconstruction efforts. Without stabilization, insurgencies will destroy the security of the people and the government functions of the country will diminish. In order to achieve this basic level of security, Afghanistan must have a capable and uncorrupt police force operating within an institutional framework defined by law. One of the four pillars, designated by the United Nations, of security reform is building and training the Afghan National Police (ANP) Force. The ANP is critical to nation building because the institution is responsible for providing security and safety for the people of Afghanistan. It is also critical because history has proven that local police and law enforcement are the first defense in an insurgency-like threat based on the location of the force. Evidence suggests that Afghanistan has not reached the acceptable standard expected of a police force in any functioning society void of bribery and corruption.<sup>1</sup>

For the past 30 years, the Afghan police force has been known as corrupt, illiterate and ill trained but the force is still charged with keeping order in the local towns. Corruption is defined by Merriam-Webster's Dictionary as "impairment of integrity, virtue, or moral principle."

According to a World Bank report, corruption has a deleterious, often devastating, effect on administrative performance and economic and political development of developing countries. "For example, corroding public confidence, perverting institutions' processes and even goals, favoring the privileged and powerful few, and stimulating illegal capital export or use of non-rational criteria in public decisions," are all results of corruption.<sup>2</sup> The U.S. and allied forces are spending an abundance of money and resources to train the Afghan National Police. The Afghan

police force needs to be capable of combating serious crimes in a post conflict society without corruption. However, the ANP's success is dependent on the Afghan government's ability recognize international human rights and combat corruption.

Every day the lives of American Soldiers and Marines are lost as they assist in security reform and police training, but reports and evidence show these police forces are returning to their villages as the same corrupt force they were when the training began. How can the U.S. and allied forces assist in security reform for a country that accepts corruption as the daily normalcy? In an effort to ensure lasting security in Afghanistan, the U.S. and allied forces should start with improving police reform. The United States and allied forces should leverage cultural awareness and past experiences to build training for the ANP with a strong foundation based on international human rights.

This paper looks at the history of the ANP training, beginning with the U.S. intervention in late 2001. It discusses measures of effectiveness determined by Colette Rausch for successful police reform and reviews U.S. measures of effectiveness for current ANP training. The Kosovo police reform case study assisted in determining the best model for reform. This paper reviews the current U.S. situation for the ANP to include representative policing, responsive policing, and accountable policing. This paper will discuss two models for police reform and discuss the pros and cons of both models. In conclusion, this paper recommends a combined model for police reform that incorporates both the tribal model and the federal model.

## **II. Section I – Background**

This section discusses the background of the German and U.S. assistance in the ANP reform and the events and outcome of the United Nations Bonn Agreement. It examines the ANP disposition and composition prior to German assistance, the money and training Germany



used in an attempt to reform the ANP then determines why Germany's approach failed. This section explains the changes to the reform program when a new Afghan Minister of Interior was appointed and how the U.S. was requested to assist in the police reform program. Lastly, this section discusses the meeting between the U.S., German and Afghan leaders looking for a better way to work together to make police reform successful.

By the end of 2001, Afghanistan was in the hands of a new administration.<sup>3</sup> In early December 2001, in Bonn Germany, the Security Council convened a meeting with Afghan leaders, the United Nations and other international leaders. This meeting was organized to discuss assistance to Afghanistan in building a governing regime and establishing a framework for reconstruction efforts. This agreement provided a six month interim authority, the Afghan Interim Administration. In addition, it was agreed that extra time was needed for the AFN to be fully constituted and functioning. Participants in the U.N. talks requested consideration for authorizing the early deployment of a United Nations force to Afghanistan. This force was tasked to assist in maintaining security for Kabul and its surrounding areas. Such a force could be progressively expanded to other urban centers and other areas.<sup>4</sup> "Afghanistan's security sector reform (SSR) was divided in 2002 into five "pillars," each with a "lead nation": Germany, the ANP; the U.S., the ANA; Japan, disarmament; the UK, counter--narcotics; Italy, the justice sector."<sup>5</sup> The goal was to create an ethnically balanced force that was familiar with human rights and modern policing but also capable of operating in a democratic society.<sup>6</sup> It appears that no single organization was assigned oversight of the security reform process. Lack of organization or leadership contributed to limited cohesion among the pillars.

In 2002, during the early stages of the reconstruction period, there were 50–70,000 Afghan police consisting of some professional police that were trained before the civil war.

There were also a large number of untrained and largely illiterate mujahedeen and conscripted soldiers.<sup>7</sup> The police force did not have established procedures for enforcing the law; they were undisciplined and lacked equipment and facilities. Since most of the provincial and local commanders were loyal to warlords and local military commanders, control and standardization was impossible for any single organization to manage.. The pay for patrolmen was equivalent to 16 to 24 U.S. dollars a month, which was seldom paid regularly. This promoted corruption because loyalty of the police force went to the highest bidder, which was most often the local warlords. In addition, local commanders promoted poppy and opium production to finance their opposition to the local government.<sup>8</sup>

After signing the Bonn Agreement, Germany pledged E10 million for renovating the police academy, reconstructing police stations in Kabul, provisioning of police vehicles, training of instructors helping with police reorganization, and coordinating donor activities related to policing.<sup>9</sup> Similarly, the Germans spent \$70 million renovating the police academy in Kabul and placed eleven German trained instructors in the academy. German money was also used to buy fifty police vehicles for the Afghan police force. The Afghan Interim Authority's final goal was to create a police force of 70,000 officers. The German's police academy had officers in five year career programs and non-commissioned officers in a three month program. The police academy re-opened in August 2002 with 1500 officer cadets enrolled in the first class.<sup>10</sup>

The German model for police training was not successful because it failed to take the Afghan corruption and allegiances into account. The Germans also failed to increase pay for patrolmen, leaving them once again open to bribery from local warlords and military commanders. The Germans did not put measures of effectiveness or "rule of law" back into the society when the police force returned to the local villages.<sup>11</sup>

In early 2003, a Pashtun Afghan-American journalist and former military officer was appointed as Minister of Interior, and by July, he had a plan for Interior Ministry reform. Afghan police reform would begin with volunteer recruits to create a 50,000 member police force. He requested the United States train 80 percent of the recruits in Kabul and eight other provinces.<sup>12</sup> To negate the top-heavy police force, the Interior Minister developed a new salary scale, but there were insufficient funds to implement it. The Minister felt the biggest problem with the police force was resources, and most of the reform would depend on international assistance with resources.

Rather than providing a means to get salary issues fixed, the U.S. focused on training. The United States State Department started “in-service training” in Kabul for police that were serving the capital city.<sup>13</sup> The United States provided \$24.6 million for a new police training center in Kabul and \$160 million for the construction of seven regional centers.<sup>14</sup> Selectees were not vetted by the United States or the people of Afghanistan but instead, were selected by the Afghan Interior Ministry.<sup>15</sup> There were three different training courses for non-commissioned officers; one for literate patrolmen, which was eight weeks long, one for illiterate patrolmen, which was five weeks long, and one for patrolmen with extensive police experience, which was two weeks long. The Special Inspector General for Afghanistan Reconstruction Quarterly Report to congress in January 2010 states that the United States has apportioned half of its reconstruction funding—almost \$27 billion—to train and equip the Afghan National Army (ANA) and the Afghan National Police (ANP). The report also states that the Afghan National Development Strategy (ANDS) provides metrics to measure progress related to security. Since last quarter, the Afghan National Police (ANP) has made the greatest progress toward its ANDS goal, growing from 81,509 personnel last quarter to 94,958 this quarter, an increase of

approximately 16.5%. The Afghan National Police currently has 82,180 ANP and hope to train 109,000 ANP by September 2010. By the end of 2010, the U.S. hopes to have 94,958 ANP trained for duty.<sup>16</sup> These numbers suggest that the United States is pushing forces through training to get quantity, not quality. While this approach will train police at a far higher rate, it does not address the human rights training the Afghan police force desperately needs. If the United States pushes large numbers of forces through short training programs, the trained forces will only be better trained corrupt police forces returning to the same corrupt environment they were raised in.

The Germans and Americans never standardized the two different styles of police training which led to philosophically conflicting forces. In an interview with the International Crisis Group, an insider Afghan said, “The Germans are creating high quality – but too few....The other side, the United States, churn out a conveyor belt where quality is not an issue...there is nothing in the middle”.<sup>17</sup> In 2005, the United States moved the responsibility of police reform support from the Department of State to the Department of Defense with more funding. An initiative to build a new program for restructuring and reform was underway. The Department of Defense assigned responsibility for security reform to the Combined Security Transition Command – Afghanistan (CSTC-A). For the first time, Germans, Americans and Afghans came together and developed an organizational and functional structure for police training and budget allocations.<sup>18</sup>

One of the biggest challenges with the Afghan police reform has been pay and rank reforms, which were supposed to be implemented in late 2005 after the Americans, Germans and Afghan leaders, reorganized the reform structure. The main objective of this reform was to restructure a top-heavy police force by reducing the number of senior officers. The reform

would also increase pay to facilitate recruitment and retention and to reduce corruption. A process was supposed to be developed for testing and selecting officers based on merit rather than connections and money. Because the officer force would need to be reduced in number, the merit based system would help with selection of officers to stay in positions. After the recommendations for officers were presented to the Afghan Interior Ministry, President Karzai instead appointed 14 police chiefs even though they failed the qualifying exam. Because of the international reaction, a probation board was assigned to review the appointments, and 11 of the 14 police chiefs were replaced.<sup>19</sup>

The Bonn Agreement was a promising attempt to ensure there was a lead for all pillars of the Afghan security reform. Germany spent millions of dollars to build better facilities and standardize training for the ANP but they failed to take ANP corruption and allegiances into account. When the U.S. was requested to assist by the Minister of Interior, they failed to coordinate with the already established German training. When the German, U.S. and Afghan leaders finally met to establish standardized training, almost four years had passed since Germany was appointed as the lead of ANP. The Bonn agreement should have appointed a single leader of security reform to ensure the process was organized and the pillars functioned together.

## **II. Section II – What success looks like**

This section discusses the measures of effectiveness from Colette Rausch and why these measures are used to determine what success looks like for police reform. It gives an overall evaluation of how Afghanistan is performing against the measure of effectiveness. Then it discusses the successful UN police reform in Kosovo and compares the reform results to Rausch's measures of effectiveness.

The President of Afghanistan, President Karzai stated on Radio Afghanistan in November 2002, “the true and patriotic police officer is the friend of the people. People always approach them to get rid of oppression. If police officers do not have these qualities people would rather prefer to live under oppression and injustice rather than going to the police since they know that applying to the police will bring them additional problems.”<sup>20</sup>

From just this statement alone, measures of effectiveness for the ANP can be sketched out. By stating that the police officers should be friends of the people and people should be able to approach them to get rid of oppression; President Karzai is implying that they should be trusted by the people and provide a sense of security. In Combating Serious Crimes in Postconflict Societies, Colette Rausch discusses the “principles of democratic policing” from The Office of the United Nations High Commissioner for Human Rights. This book was developed by over forty experts to include judges and generals, prosecutors and human rights activists, scholars and government officials from across the world. It is written by people who have experienced security and specifically police reform. The United States Institute of Peace used lessons learned from Kosovo, East Timor, Bosnia, Afghanistan and Iraq while developing this book; therefore, this paper uses the principles of democratic policing as the measures of effectiveness for making a police force in a post conflict society successful. These measures of effectiveness are:

- Representative policing, which ensures that police personnel sufficiently represent the community they serve; that minority groups and women are adequately represented through fair and nondiscriminatory recruitment policies; and that the human rights of all peoples are protected.

- Responsive policing, which ensures that police are responsive to public needs and expectations, especially in preventing and detecting crime and maintaining public order; that policing objectives are attained both lawfully and humanely; that police understand the needs and expectations of the public they serve; and that police actions are responsive to public opinion and wishes.
- Accountable policing, wherein, legally, the police are accountable to the law, as well as to individuals and institutions in the state; politically, the police are accountable to police and citizen liaison groups and to the public through democratic and political institutions of government; and, economically, the police are accountable for the way they use resources allocated to them.<sup>21</sup>

Afghanistan is working toward creating a representative police force by increasing the number of women in the ANP, but the force lacks human rights protection and training.<sup>22</sup> Without human rights and basic literacy training, it is difficult for the ANP to ensure responsive policing. Because they have the reputation of being a corrupt force by the local population, it is impossible for the ANP to be responsive to the public needs and expectations because the public does not confide in the ANP. The ANP is not conducting accountable policing because many ANP Chiefs have allegiances to warlords or the highest paying official in the province. The governmental structure for accountable policing exists but the authority to enforce the accountability to government institutions is lacking backbone. While these standards may seem impossible, Kosovo proved able to conduct successful police reform under UN leadership following its war in 1999.

During the Kosovo conflict in 1999, the Kosovo Interior Ministry's Special Police Force was accused of conducting the worst ethnic cleansing during the conflict.<sup>23</sup> Similar to the

Afghanistan situation, Kosovo was split into pillars and the police and justice system did a poor job of coordination with each other.<sup>24</sup> The United Nations Interim Administration Mission in Kosovo (UNMIK) recognized the need for coordination and rule of law and created the “Police and Justice Pillars; a single organization responsible for administering of law enforcement, judicial and penal agencies.”<sup>25</sup> The United Nations International Civilian Police (CIVPOL) maintained daily security and was tasked with developing and deploying the local police or Kosovo Police Service (KPS) with the intention of turning over full responsibility to the local police in six years. A NATO led Kosovo Force (KFOR) was responsible to provide force where CIVPOL lacked.<sup>26</sup>

Like in Afghanistan, the international security force assisted in building the local force. It was necessary to reduce the number of local police in Kosovo, which translated to government flexibility to pay the force a higher salary without outside help and to screen police officers in a systematic process. A decertification process for bad behavior was also implemented. UNMIK gained international assistance for a police presence while building the Kosovo police force. Prior to the reconstruction in Kosovo, U.S. Department of Justice Internal Criminal Investigative Training Assistance Program (ICITAP) and Organization for Security and Co-operation in Europe (OSCE) began plans for training the indigenous police force in areas like first aid, human rights and conflict resolution. The OSCE and UNMIK immediately began recruiting officers and established the Kosovo Police Service School with instructors from OSCE and ICITAP.<sup>27</sup> “The purpose of the school is to recruit and train a professional police who act according to democratic police principles as instilled through ICITAP’s training program.”<sup>28</sup> The school also focused on curriculum for both basic training and instructor courses.<sup>29</sup>



According to a Small Arms and Community Safety survey taken by Saferworld in Kosovo, the KPS is the second most trusted institution in Kosovo after the Kosovo Protection Corps.<sup>30</sup> The police reform in Kosovo touches on each of Rausch's measures of success. UNMIK addressed the representative policing by ensuring the KPS were recruits from the local community who were paid a regular salary, eliminating the need for income through bribery or corruption. UNMIK also ensured training was administered in human rights and other criminal activities, allowing the force to be responsive. Lastly, the KPS was accountable to the law because UNMIK implemented several organizational units throughout the Police and Justice Pillar.<sup>31</sup>

### **Section III – Afghanistan compared to the Measures of effectiveness**

This section determines where Afghanistan is today with meeting the criteria for the measures of effectiveness. It discusses how Afghanistan is working to better the representative policing by recruiting more women to serve on the force and how human rights should be incorporated into the ANP training. Improvement in responsive policing is discussed because there is a lack of trust in the ANP due to bribery. Lastly, it examines the government institutions that the ANP is accountable to for policing.

#### **Section IIIa - Representative Policing**

In order for the ANP to represent the community they serve, they should be composed of both men and women and come from the local community or tribes. While some critics suggest using outside troops as a mechanism for minimizing corruption, this approach is inconsistent with Afghan cultural values that distrust outsiders.<sup>32</sup> Afghanistan has recognized the need to have women on their police force not only for community representation but also for searching and questioning female suspects. Three years ago, Afghanistan appointed a woman to serve as

the Police and Gender Advisor to the Minister of Interior, Tonita Murray. Ms. Murray's title is The Chief of Gender and Human Rights Division and her goal is to increase the number of women on the ANP force by 5,000 over the next five years.<sup>33</sup> There are currently only 944 women serving on the force of over 82,000. The recruitment of women suffers not only because of gender issues but also because most people don't want their wife, sister or daughter serving on a force that has a reputation of being a dangerous place for women to serve and is rife with corruption.<sup>34</sup> Adding women to the force may help the ANP look like the community they represent but the ANP must also tackle the reputation of being a corrupt force capable of protecting the human rights of the local people. To date there does not seem to be a human rights training program in place for the force thus it may prove difficult to meet the number of women recruits.

By being representative of the communities, the ANP will be in a better position to provide the social order necessary to improve their Human Development Index. People seem to measure the success of their lives based on a human rights. The Human Development Institution provides a composite measure of three dimensions of human development: living a long and healthy life (measured by life expectancy), being educated (measured by adult literacy and gross enrolment in education) and having a decent standard of living (measured by purchasing power parity, PPP, income). Afghanistan is ranked 181 out of 182 countries on the 2009 UN Human Development Report rankings.<sup>35</sup> Developing a police force that complies with international human rights standards is critical to the success of representative policing. International human rights are defined by the Universal Declaration of Human Rights which was adopted by the United Nations General Assembly and outlines the organization's view on the human rights guaranteed to all people.<sup>36</sup> Currently, international human right training does not exist in the

curriculum of the ANP. In order to ensure that the human rights of all people are protected, promoted and respected, the United States and allied forces must ensure the Afghan police force understand what acceptable human rights standards apply.

### **Section IIIb - Responsive Policing**

If the ANP is going to be responsive to the Afghan people's need and expectations, the Afghan people must first trust the ANP. In October 2009, the UN Development Programme (UNDP) published the Police Perception Survey, 2009, which portrays the Afghan public's view of the ANP. The survey sampled 5,156 Afghans from July 9 through July 21, 2009. The results showed that 49% of respondents thought the police were keeping crime under control and that 42% believed that police performance had improved over the past two years. On the negative side, Afghans believed that corruption was a problem in the ANP: 52% responded that "some" or "a lot of" police misused their authority.<sup>37</sup>

In order for the ANP to prevent or detect crime and maintain public order, they must not be tempted by bribery. If bribery is used to receive a job or exempt someone from a crime, the needs and expectations of the public will be overlooked. A USAID report in early 2009 concluded that some Afghans searching for employment in the government actually get hired by bribing the employer with borrowed money. When the Afghan begins their new job, they use their government position to solicit money again through bribes to pay back the borrowed money they used to get the job.<sup>38</sup> The USAID report also states, there is "widespread understanding of survival strategies of low-level public officials who require additional funds beyond their small salaries, and the poor, weak clients may have no alternative than to give a small bribe."<sup>39</sup>

Trust is the foundation for responsive policing because without it, the ANP will never hear the needs and expectations of the local people. Salary issues must be addressed

immediately if the ANP are not receiving reliable paychecks, they will continue to use bribery and possibly corruption as a means to feed their families.

### **Section IIIc - Accountable Policing**

The ANP operates under the authority of the Afghan Ministry of Interior, which is also responsible for overseeing provincial and district administration and for implementing the government's counter-narcotics policies.<sup>40</sup> The Afghan Cabinet members are accountable to the President who shuffles his cabinet members around from time to time. Recently he moved Mohammad Hanif Atmar from Education Minister to Interior Minister.<sup>41</sup> As Interior Minister, Atmar is in charge of the criminal justice system but gives his allegiance to President Karzai, not the Afghan people he supposedly serves. Unfortunately, the corruption begins at the highest levels of leadership in Afghanistan.

In General McChrysal's August COMISAF Initial Assessment he states, "We face not only a resilient and growing insurgency; there is also a crisis of confidence among Afghans – in both their government and international community – that undermines our credibility and emboldens the insurgents."<sup>42</sup> Many of the leaders who foster the current violent environment in Afghanistan remain in power to include President Karzai's two vice presidents. "Right now 85 percent of the government is corrupt," said Ahmed Shah Lumar, a businessman in the southern city of Kandahar. He said bribery, extortion and other corrupt practices extend "from the very small person" in government to the very top."<sup>43</sup> During the survey fieldwork, many respondents referred to actual cases of bribery they had directly or indirectly experienced with the government. This selection of quotes from interviewed citizens provides a vivid portrait of the many forms of corruption common in Afghanistan.

*'We sell different goods on the streets here. The head of the police for this area has appointed a person who is responsible for collecting money from us and give it to him.'*

*'Police heads are taking a percentage from each payroll of their subordinates.'*<sup>44</sup>

A survey carried out by the NGO Action Aid in northern Afghanistan illustrated this, as nobody mentioned the police when asked who they would turn to in the event of a problem. Instead of turning to the police, alternative judicial mechanisms may be used, which are not under the jurisdiction of the central authorities.<sup>45</sup>

If the U.S. holds Afghanistan to Rausch's measure of effectiveness, there are several things the U.S. and allied forces must work to improve. Representative policing can only be successful if training focuses on quality forces that are well versed in international human rights standards. Responsive policing needs to be improved by eliminating the bribery that plagues the ANP because the salary is unpredictable. Accountable policing is the toughest measure to improve because corruption is evident in the highest level of government, but if the U.S. and allied forces start at the lowest level and let the ANP be accountable to "the very small person" and build accountably from the population up, success is certain.

#### **Section IV – Models for reform**

There appear to be two different ways to reform the ANP with limited (or possibly) complete success based on Rausch's measures of effectiveness. This section will state the two reform models and weigh the pros and cons to each model. The first model is based off a Rausch's idea that institutional reform to the criminal justice system is the key to developing a fair and effective system of justice; this model will be called the "Institutional Model." The

second model is based off the cultural knowledge of the Tribes and how their judicial system operates which is referred to as the "Tribal Model."

#### **Section IVa – Institutional Model**

The institutional model believes police reform is the core component of the state to combat serious crimes. This model focuses on human rights standards and principles for democratic policing.<sup>46</sup> The ANP would continue CSTC-A training with modifications to include basic human rights as well as reading and writing. While the ANP is in training, the U.S. and allied forces would act as the security force in local areas to fill the gaps, gaining the trust and confidence of the Afghan people by providing security while asking nothing in return. The ANP chief and officers would be chosen by the locals and approved by the district governors. Once training is complete, the ANP will be slowly integrated into the U.S. and allied security force with the hopes of gaining the same respect and trust the local people have in the U.S. and allied force security force. "A poll of 1,400 people by a consortium of humanitarian agencies, including Save the Children, Care International and ActionAid, did find substantial support for foreign forces in Afghanistan - 86% of those questioned around the country had a generally positive view of them - but a similarly large majority would like to see those same forces, and the Afghan army they support, doing more, with more frequent patrols."<sup>47</sup> International assistance could make resources and facilities readily available for forensics and data management. Policies and procedures for interagency cooperation would be established and training on police procedures and human rights would be standard. Monetary resources would be available for police salary and administrative assistance need to tackle serious crimes. There would also be specialized groups and training in order to better handle serious crimes.

The institutional model addresses all aspects of the measures of effectiveness. It takes representative policing into account by ensuring the ANP chiefs are elected by the local people, responsive policing by giving the ANP the much needed human rights training, and accountable policing by ensuring the police are accountable to the local population. The center of gravity for this model is the relationship between the U.S. and allied security forces.

The institutional model can be effective if the local people develop trust and respect for the U.S. and allied security forces. Evidence suggests that if the right person builds a relationship with the local leaders and people, that person can gain the trust of the village.<sup>48</sup> This model also provides the ANP with resources and training needed for long term security from the international community. If successful, this model allows for the democratic policing style to be implemented almost immediately and could speed up the process of stabilization for Afghanistan.

This model is completely dependent on the local people and the establishment of trust and confidence in the U.S. and allied security force filling the gap of the ANP. Just one act by security forces perceived as corruption could sabotage this model. The other concern is that the ANP will return to the area and once the military security force has left, return to the same corrupt ways the ANP used to fill their pockets. Therefore, to make this model successful it is critical to ensure a regular salary and bonus system is in place to pay the ANP.

#### **Section IVb – Tribal Model**

The second model is based off a cultural understanding of the tribal system in Afghanistan. This model integrates the ANP, the ANA and incorporates the *Arbakai*, a type of militia historically used in rural Afghanistan to compensate for the absence of central government protection. The *Arbikai* are used as the security force of the local areas, filling

security gaps across Pashtunwali areas.<sup>49</sup> The local ANP are removed from the areas and sent to training facilities, either in Afghanistan or in allied countries. Training is focused on capabilities to combat crimes, police operations and protection of the people to include human rights. While the ANP are in training areas, *jirgas*, a tribal assembly of elders, are encouraged to form *Arbakai* from the villages. The *Arbakai* are trained by U.S. special operating forces to be guards and conduct patrols enabling the Afghans to protect their villages from insurgents. Radios are provided to the *Arbakai* for Quick Reaction Forces and to *jirgas* for civic projects. Once stability in the area has been achieved, the ANP will return and become the local security force replacing the *Arbakai*. Local elections are conducted by *Jirga* District Councils which will include *Jirgas* from all villages in the district. This will slowly affect provincial governance and eventually change central government to a functioning government of the people.<sup>50</sup>

The tribal model addresses the measures of effectiveness but not necessarily in a democratic policing style. The representative policing is addressed by using the *Arbakai*, selected by the *jirgas* to represent the people. Once the ANP returns from training, the officers and chiefs are appointed by the *jirgas*. Responsive policing is addressed but the “rule of law” will be the tribal law, not necessary the international human rights laws expected from a democratic police force. And lastly, accountable policing is successful in this model because the police chiefs and officers are accountable to the *jirgas*.

The tribal model takes culture into consideration. Most critics of the U.S. and allied force interventions would say the U.S. disregarded Afghan culture when building a plan for stabilization and reconstruction. This oversight has caused an extended stay in Afghanistan while the U.S. continues to use more resources to fix the problem. It allows the ANP to leave the local area or possibly even the country for an extended period of time while the local people



become the security force fighting for the honor of their tribes. This approach also empowers the *jirgas* to build their government for the people from the people. This model will also benefit the ANP to by allowing officers to receive focused training without distractions.

This model has some potential drawbacks. It only takes into account the Pashtunwali population, which makes up 42 percent of the population. Once the ANP are returned to their local areas, there is the possibility of a power struggle between the *jirgas* and the ANP if rule of law is not agreed upon in advance. The *jirgas* must agree on tribal rule of law for local areas and be prepared to instill these laws in the ANP when they return from training.

While the institutional model and tribal model are better than the current reform model, there are drawbacks to both. The institutional model is completely dependent on the relationship the U.S. and allied security forces build with the local population. If this relationship is weak or threatened by Taliban, the entire model could crumble. Another key factor to making the institutional model successful is ANP salary. This model requires international assistance for money and resources. If the U.S. and allied forces fail to help Afghanistan build lasting security, the international assistance could be indefinite. The Tribal model only takes the Pashtunwali areas into account but has the potential to be successful. The end state for this model would not be a democratic police force but it does lead to a functioning police force which may be all Afghanistan needs to help build lasting security.

## **Conclusion**

The best way to combat this corruption is to build governance from the bottom up. This approach combines the two models in the previous section to obtain lasting security in Afghanistan. This model uses the U.S. and allied forces to fill in the gaps while the ANP are removed for human rights and literacy training as demonstrated in the institutional model. The

U.S. and allied security forces will work directly with the *jirgas* to establish rule of law as demonstrated in the tribal model. In building lasting security in the police force, the United States and allied forces should start by establishing security forces comprised of U.S. and Afghan military security forces in local areas. This security forces will gain the trust and respect of the local people while CSTC-A builds the facilities and provides the resources to pay and train the local police not only in policing tactics but also in basic human rights and literacy. The ANP training will be conducted in training centers outside of the local area. The entire police force will be removed from the area and replaced with the U.S. and Afghan security force. With time and patience, the U.S. and Afghan security force will gained the confidence and trust of the local population. If there is trust in one person or a group of people, there is generally trust in their associates. If the U.S. and Afghan security force supports and eventually integrates a well trained police force, one capable of providing the same security, the local people should embrace the ANP. The U.S. and Afghan security force will encourage the *jirgas* to establish a common rule of law for the local districts and hold district councils with the district governers. These meetings will be the foundation for building governance in local districts. The districts that are chosen for the early stages beginnings of this project should be in the most violent, Taliban infested areas. The lessons learned in Kosovo prove that an international police presence should exist until the local police presence is trained and trusted.

A strategic communications strategy would prove invaluable in order to spread a good message about the ANP and the *jirga* councils. Once the economy and confidence in these districts starts thriving, the U.S. and allied forces can return to the home bases leaving the ANP to provide security for their respective areas. This model incorporates success as stated by Rausch. Representative policing will be conducted because the ANP will be comprised of the

community they serve and basic human rights are incorporated into their training. Responsive policing will be conducted by the ANP and oversight by the U.S. and allied security force will remain until standards for responsive policing are met and the police understand the needs and expectations of the community they serve. Accountable policing will be ensured by the rule of law agreed upon by the *jirgas*. The police chief should be accountable to the governor and the *jirgas* therefore assuring the police are accountable to the law as well as individuals and institution in the state.

It is very unlikely the Afghan police force will see the international resources and money continue for years to come that is why is critical for the United States to take advantage of the lessoned learned from past experiences now and leverage the international community to provide assistance. This success will eventually ensure the exit of United States and allied forces from Afghanistan, or in other words, lasting security.

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